

Mineral, and 84 100-pound cans and 448 100-pound bags of Superior Chemicals, and an unknown number of circulars, at Fargo, N. Dak., alleging that the Cattle Mineral and a portion of the Superior Chemicals had been shipped from Minneapolis, Minn., by the Farmers Union G. T. A. Mills, Inc., between the approximate dates of January 30 and July 10, 1943, and that the remainder of the Superior Chemicals had been shipped from Denver, Colo., by the Superior Products Co., on or about May 18, 1943. The articles were labeled in part: "G. T. A. Cattle Mineral," "Sheep-Special * * * Superior Chemicals," or "Superior Chemicals * * * [Pictures of a horse, sheep, ass, shorthorn, pig, and bull]."

Analysis of the Cattle Mineral disclosed that it consisted essentially of a mixture of mineral substances, charcoal, and a small proportion of molasses, and that it contained not more than 4.89 percent of phosphorus and not more than 0.057 percent of iodine. It was alleged to be misbranded in that the statements on its label, "Phosphorus (P), not less than 5.80% * * * Iodine (I), not less than .112%," were false and misleading as applied to the article, which contained less than the declared amounts. The article was alleged to be further misbranded because of false and misleading statements in the accompanying circular entitled, "Feed G. T. A. Mineral Supplement for Sound Bones Good Health Added Profits," regarding the efficacy of the article in the treatment of swollen joints, stiffness in legs, lowered milk production, lameness, poor appetite, lack of nerve control, pale blood and skin color, and anemia; and in the treatment of bloat and worms in sheep, thin flesh, abortion, and weak calves in cattle, paralysis of sows, thumps in hogs, goiter and stunted growth in lambs, and leg weakness, poor hatchability of eggs, roup, cholera, and other diseases of poultry.

Analysis of the Superior Chemicals disclosed that a portion consisted essentially of salt, 59 percent, calcium carbonate, 24 percent, sulfur, 3 percent, and small amounts of other mineral substances, charcoal, and turpentine oil; that the product in the 198-bag lot consisted essentially of 56 percent salt, 6.6 percent sulfur, charcoal, calcium carbonate, and other mineral substances; and that the product in the 250-bag lot consisted essentially of 58 percent salt, and other mineral substances including sulfates, charcoal, and 3.6 percent of sulfur. The article was alleged to be misbranded because of false and misleading statements in the circular entitled "Superior Chemicals for Livestock," regarding the efficacy of the article to prevent and correct chemical and mineral deficiencies, aid digestion, eliminate abortion, neutralize acids, decrease sheep death rate, increase profits, grow stronger and bigger calves, control worms in pigs, repel flies, ticks, and other external parasites, increase production of beef, pork, mutton, wool, finer offspring, milk, and butter, and remove and destroy intestinal parasites.

On January 21, 1944, the Farmers Union G.T.A. Mills, Inc., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered, and it was ordered that the circulars be destroyed and that the products be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

1343. Misbranding of Ko-Ex-7. U. S. v. 153 Cartons of Ko-Ex-7. Default decree of condemnation and destruction. (F. D. C. No. 11244. Sample Nos. 11896-F, 29784-F.)

On December 6, 1943, the United States attorney for the Northern District of California filed a libel against 153 cartons of Ko-Ex-7 at San Francisco, Calif., alleging that the article had been shipped on or about April 27, 1943, from Buffalo, N. Y., by the Sterling Research Corporation; and charging that it was misbranded.

Examination of a sample disclosed that the article contained approximately 21.5 percent of ferrous sulfate, 1.23 percent potassium iodide, a nitrate, a borate, and plant material including a large proportion of wheat.

The article was alleged to be misbranded because of false and misleading statements on its containers and on accompanying charts, designated as "Mastitis Control Charts," which represented and implied that the article would be effective in the correction of faulty metabolism and in the cure, mitigation, treatment, prevention, and control of mastitis in cows, whereas it would not accomplish the results claimed. The article was alleged to be misbranded further in that the statement on its label, "Contents 16 Ounces," was false and misleading as applied to the article, which was short-weight.

On September 23, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.